

REMARKS

The Office Action mailed February 25, 2003 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-25 are now pending in this application. Claims 1-25 stand rejected.

The rejection of Claims 1, 2, 7-11, 14, 15, and 20-25 under 35 U.S.C. § 103(a) as being unpatentable over Puckette et al. (U.S. Pat. No. 6,346,875) in view of Hershey et al. (U.S. Pat. No. 5,519,692) is respectfully traversed.

Applicant notes that the Puckette et al. reference and the present application were, at the time the invention was made, commonly owned by General Electric. Applicant further notes that the Puckette et al. reference issued on February 12, 2002, subsequent to the filing on June 26, 2001 on which the present application claims priority. Therefore, as applied in the instant rejection, Puckette et al. is commonly owned prior art used only as a Section 103/102(e) reference. 35 U.S.C. § 103(c) prohibits use of a Section 102(e)/103 references in such circumstances. See M.P.E.P. § 2146. Under §103(c) Puckette et al. may not be considered in combination with other references in a Section 103 rejection.

For at least the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 1, 2, 7-11, 14, 15, and 20-25 be withdrawn.

The rejection of Claims 3, 4, 12, and 16-17 under 35 U.S.C. § 103(a) as being unpatentable over Puckette et al. (U.S. Pat. No. 6,346,875) in view of Hershey et al. (U.S. Pat. No. 5,519,692) and further in view of Payne (U.S. Pat. No. 6,040,769) is respectfully traversed.

Applicant notes that the Puckette et al. reference and the present application were, at the time the invention was made, commonly owned by General Electric. Applicant further notes that the Puckette et al. reference issued on February 12, 2002, subsequent to the filing on June 26, 2001 on which the present application claims priority. Therefore, as applied in the instant rejection, Puckette et al. is commonly owned prior art used only as a Section 103/102(e) reference. 35 U.S.C. § 103(c) prohibits use of a Section 102(e)/103 references in

such circumstances. See M.P.E.P. § 2146. Under §103(c) Puckette et al. may not be considered in combination with other references in a Section 103 rejection.

For at least the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 3, 4, 12, and 16-17 be withdrawn.


The rejection of Claims 5, 6, 13, and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Puckette et al. (U.S. Pat. No. 6,346,875) in view of Hershey et al. (U.S. Pat. No. 5,519,692) and Payne (U.S. Pat. No. 6,040,769) and further in view of Rickard et al. (U.S. Pat. No. 5,977,650) is respectfully traversed.

Applicant notes that the Puckette et al. reference and the present application were, at the time the invention was made, commonly owned by General Electric. Applicant further notes that the Puckette et al. reference issued on February 12, 2002, subsequent to the filing on June 26, 2001 on which the present application claims priority. Therefore, as applied in the instant rejection, Puckette et al. is commonly owned prior art used only as a Section 103/102(e) reference. 35 U.S.C. § 103(c) prohibits use of a Section 102(e)/103 references in such circumstances. See M.P.E.P. § 2146. Under §103(c) Puckette et al. may not be considered in combination with other references in a Section 103 rejection.

For at least the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 5, 6, 13, and 18-19 be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,


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OCT 15 2003

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